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Chairman: Mr. PIBULSONGGRAM (Thailand)

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 74: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued) (A/SPC/46/L.9, A/SPC/46/L.10/Add.1)

1. The CHAIRMAN called the attention of the Committee to draft resolution A/SPC/46/L.9, whose financial implications were analysed in document A/SPC/46/L.10/Add.1.

2. Draft resolution A/SPC/46/L.9 was adopted.

3. The CHAIRMAN announced that after informal consultations it had been decided provisionally that the Special Committee on Peace-keeping Operations would hold the series of meetings called for in draft resolution A/SPC/46/L.9 from 27 April to 29 May 1992, but that the Committee could also meet as required, as provided in paragraph 27 of the resolution.

AGENDA ITEM 73: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (A/46/65, 282, 440, 441, 442, 443, 444, 445, 521, 522)

General debate

4. The CHAIRMAN called attention to the various letters to the Secretary-General relating to agenda item 73 (A/46/116, A/46/284, A/46/475, A/46/486, A/46/488).

5. Mr. KALPAGE (Sri Lanka) (Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories) introduced the twenty-third report of the Special Committee (A/46/522), which covered the period from 1 September 1990 to 22 August 1991. In carrying out its mandate, the Special Committee had benefited from the cooperation of the Governments of Egypt, Jordan and the Syrian Arab Republic and of Palestinian representatives. As in the past, however, the Government of Israel had refused to authorize Committee members to visit the occupied territories in order to inform themselves directly.

6. The report concerned the general situation in the territories as it affected the human rights of the Arab population, Israeli practices, the various restrictions limiting the enjoyment of fundamental rights and freedoms, the administration of justice, the treatment of detainees, the activities of Israeli settlers affecting the Arab civilian population, the annexation of land and the establishment of new settlements. It also outlined the situation in the occupied Syrian Arab Golan.

(Mr. Kalpage, Sri Lanka)

7. The situation in the occupied territories had deteriorated to such an extent that the Arab population was reaching a state of mere survival. The occupation in itself constituted a violation of the civilians' civil rights. He cited a series of harsh measures taken by Israel and recalled the Special Committee's main conclusions, which were that Israel should fully apply the Fourth Geneva Convention, respect the privileges and immunities of UNRWA, and fully comply with all pertinent United Nations resolutions, that conditions of confidence and security should be created conducive to promoting respect for human rights, and that Member States should support the organizations assisting the people of the territories. The Special Committee hoped that the Madrid Conference on the Middle East would pave the way for a just and lasting settlement of the Arab-Israeli conflict; only through such a settlement would the fundamental rights of the Arab population of the occupied territories be restored and guaranteed.

8. Mr. MANSOUR (Palestine) cited the report of the Special Committee (A/46/522) to illustrate the atrocities committed by Israel, the occupying Power, in the occupied territories, in flagrant disregard of the Fourth Geneva Convention. Recalling that the General Assembly had repeatedly deplored the continued refusal by Israel to allow the Special Committee access to occupied Palestinian territory or to permit persons from occupied Palestine to come and appear as witnesses before the Special Committee, he said that was proof that the conditions under which the Palestinian people were living were so abhorrent that Israel could not afford more neutral eyewitnesses to its crimes. In keeping with its policy of harassment, the police had raided the Shariah Court of Jerusalem on 18 November 1991 and confiscated papers and files, including historical records relating to Jerusalem. He asked the Special Political Committee and the international community to condemn the operation and to see to it that the documents seized were returned.

9. In addition to the practices he had described, Israel was continuing to expropriate Palestinian land (70 per cent of Palestinian territory) and to steal Palestinian national resources, especially water, creating a "state of mere survival" for the people of occupied Palestine. It was the duty of the international community to put an end to those crimes. It should be recalled in that connection that Israel continued to reject the de jure applicability of the Fourth Geneva Convention while claiming to act in de facto accordance with it.

10. Despite a massive campaign to destroy the political, economic and social infrastructure of Palestine and an attempt to break the resistance of Palestinians in the occupied territories, the intifadah, which would soon enter its fifth year, was continuing, with the dual goal of ending the occupation and creating a sovereign State of Palestine in the national territory.

(Mr. Mansour, Palestine)

11. He recalled the provisions of resolution 681 (1990), in which the Council requested the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation and to keep it regularly informed, and stressed the importance of that mandate for the protection of the Palestinian people. That protection was made more necessary by the accelerated settlement policy in occupied Palestinian territory, including Jerusalem. The international community was required to uphold its resolutions in that connection in order to force Israel to stop its illegal settlement activities immediately, particularly since the policy was incompatible with the current peace process.

12. Mr. SALAH (Jordan) said that Israel's inhumane practices in the occupied territories were only one aspect of the Palestinian question. It was therefore not possible to consider them outside the general framework of the question, which was at the heart of the Arab-Israeli conflict. The solution would be to end the occupation, including that of the Syrian Arab Golan, and to let the Palestinian people exercise their right to self-determination. In that connection, the Arab countries, including the Palestinians, had expressed their longing for peace and worked for it for many long years, but Israel's intransigence and obstinacy in perpetuating its occupation had always been a major obstacle to peace. The Madrid Conference gave him hope that Israel would demonstrate sincere peaceful intentions that would be reflected in the area by actions likely to promote the success of the peace process.

13. It was clear from the report of the Special Committee that Israel was systematically violating all the fundamental rights of the Palestinians in the occupied territories and of the Syrians in the Syrian Arab Golan, in total disdain for the will of the international community and the relevant international instruments. Israel was thus seeking to break the spirit of resistance among the Arab population. In that connection, although it was true that the media coverage of the intifadah had enabled the international community to grasp the real situation in the occupied territories, the condemnation of Israeli practices by all the countries of the world had nevertheless not been enough to persuade Israel to change its policy. Only recently, the Israeli police had raided the premises of the Shariah Court of Jerusalem and confiscated a large number of documents. In that connection, Jordan appealed to the international community to see that those documents, which included historic texts establishing the rights of Arabs and Muslims to Jerusalem, were returned.

14. According to the Fourth Geneva Convention, the occupation, which was in itself a violation of human rights, could only be temporary. It should be recalled in that connection that, despite the many Security Council resolutions on the applicability of that Convention to the occupied territories, Israel was still violating its provisions. Thus, Israel had continued its settlement policy even after the opening of the Madrid Conference.

(Mr. Salah, Jordan)

15. He listed the Israeli practices cited in the report of the Special Committee, including collective punishments, the demolition of houses, the closing of schools, arbitrary imprisonment, and torture, to illustrate the need for the international community to act individually and collectively within the United Nations to force Israel to reconsider its policies and practices and bring them to a speedy end. After quoting other examples of the one-sided administration of justice, according to whether Palestinians or Israelis were involved, he said that his country endorsed the report's conclusion which stressed the need to take urgent measures to safeguard the basic rights and freedoms of the Palestinian people and other Arabs in the occupied territories.

16. Mr. VAN SCHAIK (Netherlands), speaking on behalf of the member States of the European Community, said that they continued to be concerned over the treatment of the fundamental rights of the Palestinians in the occupied territories. The Twelve reaffirmed that the Fourth Geneva Convention of 1949 remained fully applicable to those territories, including Jerusalem, as the Security Council itself had stated on many occasions.

17. The building of Israeli settlements in the occupied territories was illegal and an obstacle to peace. The Community once again called on Israel to halt that activity, as a confidence-building measure that would help to advance the negotiating process started at the Madrid Conference. The Twelve reaffirmed that the Charter of the United Nations ruled out the acquisition of territory by force, a principle which the Security Council, in resolution 242 (1967), had made one of the bases for settling the Arab-Israeli conflict.

18. The right of freedom of movement was guaranteed by the International Covenant on Civil and Political Rights and Jews were entitled to exercise it through emigration, but they should not do so at the expense of the rights of the Palestinians in the occupied territories. The European Community regarded as null and void any unilateral decisions by Israel to impose its jurisdiction and administration on the occupied Syrian Golan or to amend the status of Jerusalem, whose holy places should be accessible to all, with safeguards in that respect included in any future agreement on the city.

19. The maintenance of as large an Israeli security force as ever in the occupied territories had been reflected in renewed confrontations. A further alarming development was a spiral of violence, in confrontations between Israeli authorities and UNRWA staff between Palestinians and UNRWA staff, and among the Palestinians themselves.

20. To create a climate of confidence between Israelis and Palestinians, the Israeli Government would also have to repeal the security measures and repressive economic sanctions which it had imposed. The Twelve deplored the maintenance of collective punishments and other unacceptable arbitrary measures, which were completely contrary to the Fourth Geneva Convention, and denounced the continued policy of deportation. Iraqi attacks during the Gulf

(Mr. Van Schaik, Netherlands)

war had, of course, compelled Israel to take security measures in the occupied territories as well, but some of those measures had been retained for too long or replaced by other restrictions, which had aggravated the effects of the crisis on the Palestinian population. The economy and education had both suffered, and the Twelve welcomed the permission given by the Israeli authorities to reopen a number of schools and colleges. The health services should also be allowed to function unimpeded.

21. The European Community had taken various economic measures on behalf of the occupied territories. It had given duty-free access to all industrial products from the occupied territories and preferential duty treatment to some of their agricultural exports; direct aid to the territories in 1992 would be equivalent to $14 million.

22. The results of the Madrid Peace Conference and the first round of bilateral negotiations were encouraging and all parties should be called upon to refrain from any action that could jeopardize the prospects for a just settlement of the Palestinian question.

23. Mr. MUNYAPETA (Rwanda) said that his delegation would have voted for draft resolutions A/SPC/46/L.12 to 22 on agenda item 72 had it not been prevented from so doing by reasons beyond its control.

24. Mr. MARTINEZ CORDOVEZ (Cuba) said that had his delegation been present when the vote was taken on the draft resolutions adopted at the 25th meeting, most of which it had co-sponsored, it would have voted in favour of them.

The meeting rose at 5.10 p.m.